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Attorneys for Defendant
Hewlett-Packard Company

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

MMCA GROUP LTD., a Virginia corporation,

Plaintiff,

v.

HEWLETT-PACKARD COMPANY, a
Delaware corporation, PINKERTON
CONSULTING AND INVESTIGATIONS, INC.,
a foreign corporation, PICA CORPORATION, an
Ohio corporation,

Defendants.

No. C-06-7067 MMC (EMC)

**STIPULATED REQUEST FOR
STATUS CONFERENCE; ORDER**

Date: May 30, 2008
Time: 10:30 a.m.
Place: Courtroom 7, 19th Floor
Judge: Hon. Maxine M. Chesney

[Fed. R. Civ. Proc. 16, Civil L.R. 7-12,
and 16-10]

I. INTRODUCTION

Plaintiff MMCA Group Ltd. and defendants Hewlett-Packard Company (“HP”), PICA Corporation (“PICA”), and Pinkerton Consulting & Investigations, Inc. respectfully submit this stipulation and [proposed] order pursuant to Federal Rule of Civil Procedure 16 and Civil Local Rules 7-12 and 16-10 requesting that the Court hold a status conference with the parties on Friday, May 30, 2008. Further, the parties request that the Court waive the general requirement in Rule 16-9(d), which requires filing of a joint status conference statement 10 days before the requested conference.

II. BACKGROUND

Past discovery issues (which the parties will be prepared to discuss in detail at the requested status conference, if requested) have slowed progress in this case and the parties are now unable to meet the current schedule.

The current non-expert discovery cutoff is May 23, 2008. Docket No. 180. On May 9, 2008 the parties filed a stipulated request to extend the discovery deadlines, while preserving the trial date. Docket No. 239. The Court has not yet ruled on the parties’ request.

After meeting and conferring further, and after MMCA, PICA, and HP discussed status with Magistrate Judge Chen at a status conference held May 20, the parties believe they cannot complete discovery under either the current schedule or the schedule in their stipulated request filed May 9. With the involvement of Magistrate Judge Chen, MMCA, PICA, and HP have begun mapping out a schedule with realistic hard deadlines for discovery issues and suggested revised dates for discovery cut-offs, dispositive motions and trial.

MMCA, PICA, and HP have a further status conference on May 28 with Magistrate Judge Chen to further discuss these issues.

III. GOOD CAUSE EXISTS TO GRANT THE REQUESTED STATUS CONFERENCE AND TO WAIVE SUBMISSION OF A JOINT STATEMENT 10 DAYS PRIOR

The parties request a status conference with the Court to discuss the trial plan they anticipate will result from these efforts and to request a corresponding extension of the discovery deadlines and trial date. The parties anticipate being able to submit to the Court a revised

1 proposed schedule for the case after the May 28 status conference set with Magistrate Judge
2 Chen. To move the case ahead as soon as possible, the parties request a status conference with
3 the Court on May 30, the soonest available date after the May 28 conference with Magistrate
4 Judge Chen. Because the parties' proposed schedule will not be finalized until after the May 28
5 conference with Magistrate Judge Chen, they cannot file a joint statement with the Court ten
6 days prior to their requested May 30 status conference.

7 The parties are informed that Magistrate Judge Chen plans to discuss these issues
8 with the Court in advance of the requested status conference with the Court.

9 **IV. CONCLUSION**

10 For the reasons discussed above the parties respectfully request that the Court
11 order a status conference for May 30, 2008 and waive the requirement for a joint status
12 conference statement ten days in advance of that requested conference.

13
14 DATED: May 23, 2008

15 By: /s/ William F. Abrams

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20 HEWLETT-PACKARD COMPANY

DATED: May 23, 2008

By:

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DATED: May __, 2008

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DATED: May __, 2008

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MMCA GROUP, LTD.

1 DATED: May __, 2008

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12 PICA CORPORATION

13 DATED: May __, 2008

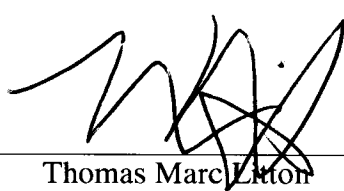
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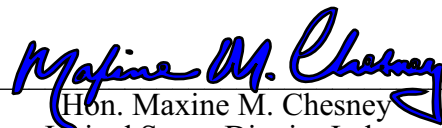
36 Attorneys for Plaintiff
37 MMCA GROUP, LTD.

~~**[Proposed] Order Extending Discovery Deadlines**~~

in light of the Court's calendar,
IT IS HEREBY ORDERED that^v the parties appear for a further status
June 6, 2008.
conference on Friday, ~~May 30, 2008. For good cause shown, the Court waives the normal~~
The parties shall
~~requirement in Civil Local Rule 16-9(a) that the parties~~ submit a joint statement in advance of
the conference, and no later than May 30, 2008.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: May 23, 2008


Hon. Maxine M. Chesney
United States District Judge